

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert D. Hill  
Title: METHOD OF MODIFYING PLANT  
PHENOTYPES WITH NONSYMBIOTIC  
HEMOGLOBIN  
Appl. No.: 10/582,321  
Filing Date: 05/22/2007  
Examiner: Cathy Kingdon Worley  
Art Unit: 1638  
Confirmation Number: 4952

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

The listed document is the U.S. patent which corresponds to the reference cited by the Examiner in the Restriction Requirement mailed January 6, 2011. The patent has common or overlapping inventorship and/or ownership with the present application.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicants believes that no fee is required, the Commissioner is hereby authorized to charge any additional fees which may be due to Deposit Account No. 19-0741.

Respectfully submitted,

Date Feb 4, 2011

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